Previous references.
Banking. 48-09. (1+2) B Nov 1910.
G.D. 69-10. (3-5) A June 1911
G.D. 69-10-(1-2) B Nov 1910.
Later references.

1911-12
(Gen Fin)

File No. G.7572-11
Serial Nos. 1+2

GENERAL AND REVENUE SECRETARIAT.

P. 6A
(R.)

Serial Nos. 1+2 J

Part B. for November 1912

SUBJECT.

Rules under Regulation II of 1911. & amendments to Govt Savings Banks Act 1873.

From. The Comptroller to the Govt. of H.H. the Maharaja of Mysore.
Letter no 5887/868 dated 2d April 1912. - Requests to be informed whether any rules have been framed by Govt. in the matter of disposing of claims of any nominee appointed by a Savings Bank depositor during his life time, and of the procedure, if any, for registering such nominations in the Comptroller's office.

2. Govt notification no 3117 dated 26.11.1912. Promulgating the rules regarding nominations to Savings Banks account.
Forwards copy of the notification to the Comptroller.

G. R. S. 58
C.C. 18/11/14

G.R.S. 11]

1911-12

GENERAL AND REVENUE SECRETARIAT.

(G.7)

NOTES.

File No. 572-11.

FILE HEADING.

Rules under Regulation No. 11 of 1911. re Amendment to the Post Savings Bank Act, 1873.

From The Comptroller.

No. 5887/868 Dated 2nd April 1912 Received

Diary No.	3641	Enclos.	Spare Copies.	Serial No.	1

BRIEF ABSTRACT OF LETTER.

Requests to be informed whether any rules have been framed by Govt in the matter of disposing of claims of any nominee appointed by a Savings Bank Depositor during his life time and of the procedure, if any, for registering such nominations in the Comptroller's Office

NOTES AND ORDERS.

Draft rules as per orders is put up herewith. If approved they will be got typed and submitted.
28/5 Ben 30/5/12.

Yes type a few Cs

3 copies please

2 Yes. type one or two copies.
KE 31/5

3 Submitted with 2 typed copies.
Ben 4/6/12

NOTES—First Sheet.

GPB—30,000—27-6-11

Ser
No

The 4 Draft rules are put up.

Unlike nominations to the Insurance Banks, where there is no question regarding the disposable power of the assured, there will be a lot of legal difficulty in accepting nominations by S-B. Accts as also the Co-operative Banks. As a safeguard, it is provided that the depositor should make a statement that the money is his own and a notification will be published in the Gazette & objections invited.

~~Though a nomination may be~~

5 As the depositor has full right to revoke a nomination, no formalities are prescribed for it except the one provision relating to the identity of the depositor.

Please see instructions for a fresh draft below.

M
6/6

6 As a will duly proved is an expression of the depositor's intention and as we are to uphold the depositor's intention also a provision is made to set aside the nomination by a duly proved will.

Put up revised draft early
Re
7/6

Typed draft is subd. herewith.
N.36 Bom
1/6. Hsec'y
Re
15/6

7 If approved the draft rules will be sent to the Comp[t] and the Govt Advocate of the Judicial branch for favour of remarks

Further slight changes made,
M
15/6

Hsec'y

Re
4/6.

NOTE—Contn. sheet.

Hs M.
15/6

GPB

G. R. S. 12]

General and Revenue Secretariat. | 97 File No. 572 of 1911

Serial No.

W 7621
17-6-12
with 1 cover
+ other papers

8 forwarded U.O. to the Govt Advocate for favour of remarks on the draft Rules. 8.0.
S. Shanmuga
15/6

U.O. 2
5-7-1912

9 I like it that the final typewritten draft approved by the Financial Secretary is the one marked (A) by me.

II
6/7

The following are my suggestions -

Rule I ---- Same as Rule I of the draft.

Rule II ---- Same as Rule II of the draft.

Rule III ---- I would bring in as Rule III a portion of Rule 6 of the draft modified thus: —

"Nomination of more than one person shall be allowable if the share of each nominee is definitely stated in the application to the Treasury Officer".

[My reason for this suggestion is that all the rules relating to nomination should come in before the rules relating to revocation].

9.9.

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | 97 File No. 572 of 1911

Serial No.

Rule IV ---- Same as Rule III in the draft with the addition of the words "or legal representatives" after the word "heirs" in line 7.

Rule V ---- Same as Rule IV in the draft.

Rule VI ---- I would suggest in the place of Rule V & the latter portion of Rule VI in the draft a Combination of both them modified :—

"If the nominee or any of the nominees where there are more than one, predeceases the depositor his heirs at law or the surviving nominees will have no claim to the amount at the depositor's credit, or to the share of the deceased nominee as the case may be. In all such cases the right to the whole of (or the lapsed share in the deposits) the Savings Bank account will accrue to the depositor & his heirs"

[I take it that in Rule V of

NOTE—Contn. sheet.

GPB—20,006—20-1-12

[G. R. S. 12]

General and Revenue Secretariat. | 97 File No. 572 of 1911

Serial No.

the draft the word "dies" is used in the sense "predeceases the depositor". If so, the meaning is clearly brought out in the alteration I have suggested. From the rule as I have drafted it necessarily follows that if any of the nominees, in cases where there are more than one, survives the depositor but predeceases the other nominees his share will go to his heirs & this is in accordance with the general principles of the law of succession. I presume the same idea was intended to be conveyed by the second sentence "Should any person x x x x heirs" in para 6 of the draft.

Rule VII — Same as in the draft.

Rule VIII — I would add in the end "under the orders of the Secretary of the Govt. Savings Bank" [because under § 4(1) of the Regulation it is the

NOTE—Contn. sheet.

GPB—20,000—20-1-12

Serial No.

nominee or nominees = It is proposed therefore to add the words suggested above].

Form II ---- Same as in the draft.

Form III --- do do

10 Typewritten draft marked (B) with the pencil alterations will be the draft according to my suggestions. A clean typewritten draft of the Rules marked (C) which embodies all my suggestions is herewith sent.

5th 7. 1912 Sd/- Govt. Advocate

Submitted
8/7/1912 Sd/- (9)

11 The Govt Advocate has suggested a few ~~verbal~~ alterations most of which are verbal which may all be accepted

12 In Rule VIII a suggestion is made that at the end the words "under the Orders of the Secy of the Govt. S.B." be added. This addition is meaningless as every T.O. is a Secy to the Board (under the rules) and though in rule 4 A the word Secy is used, in rule 4 A Other rules the word T.O. (Dept) is used. So this addn seems to be ~~need~~ unnecessary. Perhaps it is not necessary to be sure & I'll refer to Govt Advocate for opinion as that will mean some more delay.

Sd/- 11/7

Note—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]

8

General and Revenue Secretariat.

G7 File No. 572 of 1911

Serial No.

12) I agree with all the suggestions of the Govt Advocate but I would omit the words "or the lapsed share in the deposits" in Rule 6 as drafted by him, the word 'the' being introduced for the sake of grammar. I have indicated this in pencil in draft marked C. (Dewaal)

M
12/7/12

12269/1371-12

13) I agree with the Secretary. I have altered the Cabinward re with "regarding" which I suppose is the English equivalent.

16) [I have a doubt whether it is absolutely necessary to appear before the Hearing Officer whether appearance by pleader duly attested may not be permitted. But this is a small matter & need not trouble us.] Attd 12/7/12

17) On reconsideration I have suggested a few further alterations in para 6 to make the meaning quite clear. The idea is that only one nomination will be in force at a time in respect of one account & avoid complication.

M
29/7/12

18) Gl(Sec) for delinquent circulation as this is said to be a Council matter. Le 5

C. Secy
Circulate
31/7/12 Le

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

G. 7 File No. 872 of 1911

Serial No.

22) Dealt with this 187 c.
regarding his suggestions.

D. Devaraj Urs.
12/8/12

23) Returned to financial Secy
after circulation among the Committee
D Srinivasaiya
10/8/12

Secy) S.S. No. 1578/12

24) There is nothing to be said in respect of the alterations suggested by the First Committee. They may all be adopted.

25) The object of para 6 is to have a good & clear working rule by requiring that only one nomination shall be in force about any deposit at any time. If there be five nominees in respect of a deposit and three of them die at intervals during the lifetime of the depositor, then there may be four different fractional nominations in respect of the deposit & this may lead to confusion & error in working. (without the rule in para 6)

16/8/12

187(V)

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | 42 File No. 572 of 1911

Serial No. 574

26) There is nothing (as far as I see) against [illegible] adopting either course — i.e. to declare the whole nomination void, if one of the nominees dies or to make void only the interest of the deceased person. But suppose a creditor is nominated for the amount of his ~~death~~ debt along with others, the death of any of the latter would be altogether a fortuitous event & one does not easily see why it should be attended with the result of avoiding the nomination. I would word rule 6 in draft C as follows:

27) If the nominee or one of a number of ~~co-defendants~~ joint nomi-

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | 47 File No. 572 of 1911

Serial No.

nees dies during the life time of the depositor, the Nomination will become void, ~~in respect~~ and the right to the whole amount at the credit the death of a Nominee with independent shares under Rule 3, shall render only his Nomination void. The interest in the account ~~for~~ of which ~~the~~ a Nomination has ~~become void~~ Thus shall accrue to the depositor & his heirs."

2) would also slightly alter Rule 3 (Consistently with the above) as follows, for there is no reason to prohibit joint Nomination:

"Nomination shall be allowable of more than one person jointly, or of such persons severally for differ-

NOTE—Contn. sheet.

GPB—20,000—20-1-12

8

13

G. R. S. 12]

General and Revenue Secretariat. | 97 File No. 572 of 1911

Serial No.

rent shares, provided in the latter case, that the share of each nominee is definitely described in the applⁿ made to the Jr. Off^r".

Mr Buck draw full

29) please type a copy with my suggestions incorporated & submit to Dewan. It may be marked D.

17/8/12

Mr. Buck

Secy 23 17/8

30) Submitted with a typed Copy ~~with~~ incorporating the 7th Councillor's amendments duly marked D. Rule 3 + 6 as suggested.

N. 36 (19)

21/8

NOTE—Contn. sheet.

GPB—20,000—20-1-12

3641

G. R. S. 12]

General and Revenue Secretariat. | 4.F File No. 572 of 191

Serial No. | Secy (Legislative) | LL 22-8-12

31) As the First Councillor does not see anything against Govt adopting the course referred to in para 2 of my note of 16.8.12 i.e. against declaring the whole nomination void if one of the nominees dies, I would respectfully suggest that this course be adopted for convenience of working.

32) In the illustration given by the First Councillor regarding nomination for debt, it is not clear either, why the heirs of the nominee should not succeed to the deceased's share in the event of his death. To push the nomination system to its logical limit we shall have to recognize the claims of the heirs of the nominees which would be exceedingly inconvenient in practice. It must be remembered that the primary object of the nomination rule is not to meet cases of debt-nominations.

33) I would therefore leave Rule 6 as in draft C. I would also leave Rule 3 as in draft C for otherwise Rule 6 in draft C may possibly be misunderstood as applying only to cases of nomination in favour of more than one person jointly.

3145 30-8-12

M 22.8.12

LL 26-8-12

Received from Camp office on 26-8-12

NOTE—Contn. sheet. 34

Secy (Legislative) Please circulate

Sd/- 30/8

GPB—20,000—20-1-12

Extract from the Proceedings of the ...287th. Meeting of the Council of His Highness the Maharaja, held at .....MYSORE..... on the ..21st.... Oct..... 1912

3. Subject. - (Clause 11 of the Schedule).

38 Consideration of the draft rules under the Mysore Savings Bank Regulation regarding nomination to Savings Bank Accounts.

OPINION OF THE COUNCIL.

39 The Council is of opinion that draft D in the file × may be approved.

× Flag D.

Sd. T.ANANDA ROW,

DEWAN OF MYSORE.

"Extract"

Offg.Secretary to Govt.

G. R. S. 12]

General and Revenue Secretariat.

57 File No. 572 of 1911

Serial No.	
	40 Submitted with Copy of Council Resolution.
4098 31.10.12	Dewan

NOTE—Contn. sheet.

GPB—20,000—20-1-12

107
Vol. XI

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

43 Draft rules under the Mysore Savings Bank Regulation providing for nominations to the monies deposited in the Banks by deceased depositors.

Order.

44 Approved

~~KRW~~

7/11/12

9. 45

12/11/12 46 B ii

9/11

47

12/11/12

45/11

48 Draft

General and Revenue Secretariat.

G.7 File No. 572 of 1911

Serial No.	
	Nº H 3117 dy 26-11-1912. Notification promulgating rules regarding nomination to Savings Banks account.
	H. nº 3252 dy 3-12-1912. To Comptroller forwarding Copy of the above with reference to his nº 5887/868 dy 2/4/1912.

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

Rev. Gl. 7]

DIARY No. 1925

6/12 to 13

SECTION G.F.

FILE No. G7572

COMPTROLLER'S OFFICE.

(CIVIL BRANCH.)

ORDERS.

NOTES.

FR 317 / G7572-11-2 dy 26/11/1912 A

Asst Secy Fin

Please send a case with this note. The point raised deserves full consideration.

J.S. Chakravarti
M
29/11/M

I
heard the case as
mentioned overleaf

D. Kothi Krishnaswamy Rao.
29.11.12

With reference to the notes appearing in yesterday's Gazette regarding nominations. I would point out that under the existing rules the 20 rupees the production of a succession certificate etc in the case of Accts of deceased depositors when the balance is more than 1,000. On getting a succession certificate a Court-fee of 2% is to be paid to the Court. The result of allowing a nomination ~~that~~ without charging any fee is that the Govt will lose the revenue they were earning in the shape of Court-fees for Succession certificates. As the object of the new rules is so much to relieve a person of the expense incidental to

to a succession certificate, as
of the incidental worry, trouble
& delay in getting a certificate,
there seems to be no reason
why the Govt should sacrifice
the revenue they were deriving
therefrom especially as the
people who go in for S.B. Accts
are comparatively wealthy and
the recent abrogation of the
maximum limits may
give rise to accounts with
large balances.

3 In the case of insurance
bonus it is easy to understand
why Govt may elect to forego
any fees on nominations to the insurance
policy but the case of S.B. accts is
different and it would seem to
be necessary to impose a fee on applications for
nominations to S.B. Banks. If the
principle is approved Sir H. Wild
would work up the case and in consultation
with Judicial Branch Board suggest
the amount to be levied. In the
meantime, ~~the T.O's must be~~ until the necessary
~~issued at~~ printed forms & registers ~~are~~
are received from the Press & until Govt
pass orders on the ~~first~~ amount of fee to be levied T.O's may be
asked not to register Such applications

GBP-8,000-25 9 11

Comptr H.L. 29/1

Serial No.

be paid on the depositor's death and this would obviate the need for taking out succession certificates in future, and the expense incidental thereto" (Sd. T. Ananda Rao 29.11.11)

7 This goes to clearly show the intention of the legislature in framing the rules published in the Gazette of the 25th Novr. 1911.

8 It needs to be noted that the primary object in instituting Govt. Savings Banks is more to promote habits of thrift and economy in the subjects of His Highness Govt. rather than to convert it into an institution for creating some profit to Government.

9 Kind attention is invited to the notes of the First Councillor on pages 13 & 14 of the office notes of G.F. 69-10 wherein it has been noted "The Savings Bank Act does not expressly say that money should not be paid without a succession certificate."

10 In these circumstances it behoves Government to view that

R. S. 12]

General and Revenue Secretariat.

G. F File No. 572 of 1911-12

Serial No.

the nominations to the Savings Bank accounts is only a matter of Convenience to the parties, and as such there seems to be no necessity to levy any fee for nomination.

11 It may also be added in this connection that with a view to afford convenience to the public at large Govt. have been, without expecting any corresponding return, spending enormous sums of money for establishing, Co-operative Societies, &c, and have not considered it necessary to levy Stamp fees even for suits &c which are decided by the Registrar free of charge. In this view, the levy of Registration fees ~~does not seem to be justifiable~~ has already been given up. The same objects which are secured by nominations in Insurance, are secured also in the case of these Deposits. Only in the former case officials are concerned, while in the latter the general public including the official class. This difference itself, does not seem to be sufficient to warrant the levy of a fee. It is, after all a free gift of a

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

G. F File No. 572 of 1911-12

Serial No.

concession by the Government, and the saddling on of a fee would, while not bringing much revenue, ~~would~~ yet take out much of the grace involved in the Concession

J. Lakshminarasu Subadar.
6.XII.12

~~Agreed~~)

12 I am for levying a small fee say 4 as on each nomination appln by ~~advocate~~ requiring stamp.

13 Will there be any legal difficulty or objection? Please consult the Branch — W. J. Chakravarti
8/12/12

14 Br III in favor of furnishing the required info

J. Lakshminarasu Subadar
10.XII.12

Jmis 53

Subd

S. N.

S.W.
11/12/12

15 No Such fee can be levied under the Court Fees Regulation, but if in the rules a Condition for nomination a Condition is inserted that the applications should bear

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

G 7 File No. 572 of 191—/12

Serial No.

a Stamp of four annas there will probably be no legal difficulty.

16 It may, however, be pointed out that in this case the Stamp revenue that was accruing to Govt has was after Careful Consideration, been deliberately given up. If it is now to be levied in another form the Govt will not be encouraging nomination.

The avoidance of the complicated proceedings in the law courts is in itself a great boon. J.S. Chakravarti 17/12/12

17 I may also Submit for Consideration whether the question formerly in the Courts how levying ad valorem fee of 2 per Cent on the amount of the debt but what is now proposed is a fixed fee of 4 annas on Each application for nomination. This would hardly bring in a tenth of the revenue that was being formerly realised, which itself was about Rs 2500/- per annum.

As the nomination is in respect of a fluctuating balance ad valorem fee is not possible in this case. J.S. Chakravarti 17/12/12

T S Bowen

14/12/12

NOTE—Contra. sheet.

GPB—20,000—20-1-12

General and Revenue Secretariat.

G7 File No. 572 of 191-/12

Serial No.	
18	Subd to Fin Secy.
B.V.N	BVN 16/12/12
19	I think a fee of 4 as (perhaps 8 as is more proper) would be quite fair & reasonable Submitted for consideration — M 17/12/12
591/2111 23.12.12	Dewan)
	SH 24/12/12
20	Circulate to Councillors & bring up at a formal meeting 3.2.13. RB
21	Subd B the Fin Secy for ordering Circulation 4.2.13
	c.circn
22	Circulate to Councillors & note for meeting
	23 6/2/13
23	The matter (if Considered desirable) should be provided for by a fresh rule framed under 4A of Savings Bank Act. Nominations for Private Company deposits or Shares &c — under what provn of St. law

30

R. S. 12]

General and Revenue Secretariat.

S.F. File No. 572 of 1911-12

Serial No.

27. Submitted

In the case of private company shares &c., nomination ~~can~~ can only be effected by ~~transfer~~ conveyance with or without consideration of the interest to the name of the nominee, The payment of stamp fee for this is governed by Art. 22 of Schedule I of the Stamp Regn 1900.

This is not correct SPL

Flag V

28. In this connection attention is invited to pages 5-9 of the A. collection Legis 18-10 & 1-9. where the question about loss of revenue to the State is fully discussed and His Highness has ordered that the Govt may forego the stamp revenue in these cases.

Flag U

(68) 4/3/13 In introducing the Bill to amend the Savings Banks Act in Aug: 1910 to the Legislative Council the ~~the~~ councillor in charge of the Bill Mr H.V. Nanjundayya said as follows:- "This proposal may result in some little loss of revenue to Govt, but it is considered that the loss is more than made up by the convenience that is created for the depositors of money in the Government

Please see Abstract Pro. of the Legis. Cl. at meeting held on 15/8/10

Flag Z

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

Ghis 117

R. S. [12] 1912-13

General and Revenue Secretariat.

G. 7. File No. 572 of 191 1-12

Serial No.

Savings Banks" ~~Hoisthaeyan~~

(S.V.) (58) 4/3/13 5/3

S.N.

29 Shares of ~~medparated~~ Companies can be transferred & under Sec 29 of the Companies Regn.; such transfers are stamped under Art. 60 of the Stamp Regn (+ not Art 22 as noted in the Office note above), the duty being one-quarter of the duty on a Conveyance.

30 Such transfer of shares of Companies have not much analogy with the nomination of Savings Bank Deposits because the former take effect at once while the latter only after the death of the depositor, so far as the actual receipt of the deposit by the nominee is concerned. Transfer of a policy of insurance is more to the point; ~~nomination~~ & so a transfer by endorsement of a policy of insurance is exempt from Stamp Duty (vide Exemption (c) to Art 60 of Schedule I

SDK 7/3

P.T.O.

(I & R)

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

General and Revenue Secretariat.

G7 File No. 572 of 1911-12

Serial No.

31 The 1st Councillor's query of 26/2/1913 on page 10 of the Notes having been answered by Os. III this file has to be submitted to the 1st Councillor in the first instance and thereafter circulated to the 2nd Councillor before being placed at the Council meeting.

Subd BVN. 8.3.13

(1st Councillor)

N. B.V.N. 10.3.13.

32 I do not see that the document of Nomination falls under any article of the Stamp Regulation at all. Under S. 3 only those instruments falling under the description of any of the articles are to be stamped.

33 But would not this appn fall under Ct fees Regn Sched II 1(b), "appn presented to any Rev Offr in his executive Capacity"? If so would not the provn apply to Nominations in Insurance Scheme? However the forms adopted

NOTE—Comtn. sheet.

Serial No.

are such as to exclude them from the category of 'applications or petitions'.

34. On the whole, I think that these Nominations are not liable to any stamp duty; and it is ~~quite~~ undesirable to make them liable to any fee. If this is not agreed to, we may provide a ~~Rs~~ fee of 4 As by Rule.

12/3/13 13/3

13/3

2nd proviso"

35. I am not for entirely exempting these documents from any fees. To support some, a fee of at least four annas per document may be levied.

14/3/13 14/3

For Incentive - Vide para 22, page 9 supra.

NOTE—Contn. sheet.

34

Extract from the Proceedings of the 298th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 21st, 23rd, 24th ~~190~~ and 25th April 1913.

---

13. SUBJECT.-(Clause xii of the Schedule).

Question of levying a fee on every application for nomination to Government Savings Bank accounts.

OPINION OF THE COUNCIL.

The Council is not in favour of levying any fees on such applications.

Sd. M. Visvesvaraya,
Dewan of Mysore.

"Extract"

Asst. Secretary to Govt.

GPB—1000—13-5-08

R. S. 12]

General and Revenue Secretariat.

File No. 572 of 1911-12

35

Serial No.

Submitted in the Enclosed Council Proceedings.

This will of course be transferred to the Financial Secy's notes, after as no further action seems to be called for in the Case.

Dewan 8/5/13

I agree

10.5.13

29 86
12.5.13

Forwarded to the Financial Secy with compliments.

Secretary
12/5

Secretary)
Memorialists

13.5.13

B

Seen: Thanks

13/5/13

[Mr Shamanna may also see as he started the discussion

13/5

Seen

13/5/13

NOTE—Contn. sheet.

GPD—61,000—17-6-12.

3641

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted and addressed to the Comptroller, Mysore Government.

No. 5887

OFFICE OF THE COMPTROLLER, MYSORE GOVERNMENT,

Dated Bangalore, the 2d April 1912.

FROM

J. S. CHAKRAVARTI, ESQ., M.A.,
F.R.A.S., etc.,
Comptroller to the Government of
His Highness the Maharaja of Mysore.

To

C. S. Balasundaram Iyer Esq., B.A.,

Offg: *Secretary to the Government of Mysore,*

General and Revenue *Departments.*

SIR,

In inviting reference to Regulation No. II of 1911, amending the Government Savings Bank ~~Account~~ Act V of 1873, I have the honor to request you to be so good as to inform me whether any rules have been framed by Government in the matter of disposing of claims of any nominee appointed by a Savings Bank Depositor during his life time and of the procedure if any for registering such nominations in my office.

As an application for registering such a nomination as is contemplated in the amendment has been received in this office, I request the favour of an early reply.

I have the honor to be,

Sir,

Your most obedient servant,

For Comptroller.

S.A.M.

Rec.—Gl. 17]

.....Department.

19/

FROM

J. S. CHAKRAVARTI, ESQ., M.A.,
F.B.A.S., etc.,
Comptroller to the Govt. of
H. H. the Maharaja of Mysore.

To

....ESQ.,

Secretary to the Govt. of Mysore,
.....Gl & Cu.....*Dept.*

Dated

Despatched 24-April 19

Received

No. 5887

Subject matter.

Requesting to inform whether any rules have been framed by Govt. in the matter of disposing of claims of any nature appealed by a Company to Govt.

G.P.B.—2,500—25-10-10

G.R.S. 26]

23/11/12

Revised redraft

47 File No. 572
Serial No.

Diary No. of letter replied to 3621

No. FC 3117

General and Revenue Secretariat
( )
the *19* .

Notification 26-11-12

Date of issue 26-11-12

Signed by W J S Chakravarti

Under the provisions of Section 14 A of the Govt Savings Banks Act V of 1873, as amended by by Regulation II of 1911, the Govt of H H the Maharaja of Mysore are pleased to make the following rules.—

By order

21/11

H Secretary

[Here enter draft D approved by H H.]

over.

SUBJECT.

(1) To the Compiler for publication in three successive issues of the Gazette and 200 copies being supplied direct to the Comptroller and 100 copies being sent to the

the Financial Branch of the F.R.S

(2) Copy to Comptroller with reference No H3252
to his No 5887/88 of 2/4/12 } 3-12-12

By order.

for Secretary.

M=36/16/11

List of enclosures,

Copied by 25/4/12

Examined by

GPB—20,000—23-9-10

FINANCIAL.

No. Fl. 3117—*G. F.* 572-11-2, *dated* 26*th November* 1912.

Under the provisions of Section 4 A of the Government Savings Banks Act, V of 1873, as amended by Regulation, II of 1911, the Government of His Highnes the Maharaja of Mysore are pleased to make the following rules :—

RULES REGARDING NOMINATION TO SAVINGS BANKS ACCOUNTS.

Under Regulation II of 1911.

1. A depositor (not being under legal disability to act) desiring to make a nomination shall do so in writing before the Treasury Officer in the appended form I and the latter shall certify that he has satisfied himself about the identity of the depositor and the form has been signed in his presence. Three copies of the form shall be signed by the depositor and the Treasury Officer. One copy will be given to the depositor, the second copy kept in the treasury and the third sent to the Comptroller direct by the treasury on the same day.

2. Registers of nominations should be kept in the treasury and in the Comptroller's Office in appended Form No. II and notes regarding nomination will also be made in the Ledger in both offices.

3. Nomination shall be allowable of more than one person jointly, or of such persons severally for different shares, provided in the latter case, that the share of each nominee is definitely described in the application made to the Treasury Officer.

4. The nomination will be in force until revoked by the depositor. If the nominee dies before the depositor the depositor should at once revoke the nomination, otherwise the burden of proving the death of the nominee to the Treasury Officer will fall on the heirs or legal representatives of the depositor who claim the money after the death.

5. The depositor may, at any time, revoke the nomination. The appended Form III should be adopted for the purpose and it should be signed before the Treasury Officer who should certify as in rule I. Three copies shall be signed and disposed of as in the case of nomination form. All revocations should be noted in the ledger and in the Register of nominations. The revocation takes effect as soon as the declaration is made before the Treasury Officer.

6. If the nominee or one of a number of joint nominees dies during the life time of the depositor, the nomination will become void. The death of a nominee with independent shares under rule 3, shall render only his nomination void. The interest in the account for which a nomination has thus become void shall accrue to the depositor and his heirs.

7. A nomination may also be set aside by a Will but Treasury Officers will only recognise Wills proved before a Court of Law.

8. If a depositor dies, the nominee shall apply for payment to the Treasury Officer enclosing the depositor's copy of the nomination certificate. If three months elapse and no intimation regarding a Will (if any) setting aside the nomination is received by him, the Treasury Officer will pay the money to the nominee under the orders of the Secretary of the Government Savings Bank.

FORM I.

To

The Treasury Officer,

.....District.

Sir,

Under Section 4 A of the Savings Bank Act as amended by Regulation, II of 1911, and rules passed thereunder, I beg to nominate..... .....as the person entitled to receive after my death the amount of money standing to the credit of my account with the Savings Bank in the District Treasury of.....District.

I have the honor to be,

Sir,

Your most obedient servant.

Station.....

Dated.....

Signed before me by A. B. holder of account No.....of whose identity I have satisfied myself.

Treasury Officer.

Station.....

Dated..... .....

FORM II.

Register of Nominees.

Serial No.	Number and date of Treasury Officer's letter intimating nomination to Comptroller	Depositor		Account number	Name and other particulars of nominee	Remarks Particulars regarding revocation of nomination or payment according to nomination to be noted here
		Name	Designation and residence			

FORM III.

To

The Treasury Officer,

.....District.

Sir,

I hereby request that the nomination made in my application dated..... of A. B. to receive the amount of my Savings Bank Account No.....may be cancelled.

I have the honor to be,

Sir,

Your most obedient servant,

Signature.....

Station.....

Dated..... .....

Signed before me by A. B., holder of account No.....of whose identity I have satisfied myself.

Treasury Officer.

Station.....

Date.....

By Order,

J. S. CHAKRAVARTI,

Financial Secretary to Government.

Draft as amended finally by the Govt Advocate

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RULES REGARDING NOMINATION TO SAVINGS BANKS ACCOUNTS.

Under Regulation II of 1911.

(C)

1. A depositor (not being under legal disability to act) desiring to make a nomination shall do so in writing before the Treasury -- Officer in the apended form I and the latter shall certify that he has satisfied himself - about the identity of the depositor and the - form has been signed in his presence. Three copies of the form shall be signed by the ---- Depositor and the Treasury Officer. One copy will be given to the depositor, the second copy kept in the Treasury and the third sent to the Comptroller direct by the Treasury on the same day.

2. Registers of Nominations should be kept in the Treasury and in the Comptroller's office in appended Form No.II and notes regarding ~~re~~ nomination will also be made in the Ledger in both offices.

3. Nomination of more than one person shall be allowable if the share of each nominee is definately stated in the application to the - Treasury Officer.

4. The nomination will be in force until revoked by the depositor. If the nominee dies before the depositor the depositor should at once revoke the nomination, otherwise the ---- burden of proving the death of the nominee to the Treasury Officer will fall on the heirs or legal representatives of the depositor who -- claim the money after the death.

Rules regarding nomination to Savings Banks Accounts

Under Regulation II of 1911

(B)

1. A depositor (~~not being a minor, or a lunatic~~ not being under legal disability to act) desiring to make a nomination shall do so in writing before the Treasury Officer in the appended form I and the latter shall certify that he has satisfied himself about the identity of the depositor and that ~~it~~ the form has been signed in his presence. Three copies of the form shall be signed by the depositor and the Treasury Officer. One copy will be given to the depositor, the second copy kept in the Treasury and the third sent to the Comptroller direct by the Treasury on the same day.

2. Registers of Nominations should be kept in the Treasury and in the Comptroller's Office in appended Form No. ~~III~~ II and notes re nomination will also be made in the Ledger in both offices.

Nomination of more than one person shall be allowable if the share of each nominee is definitely stated in the application to the Treasury officer.

~~3.~~ 4. ~~The nomination will be in force until revoked by the depositor.~~ If the nominee dies before ~~the depositor~~ the depositor

~~should at once revoke the nomination, under wise the burden of proving the death of the nominee to the Treasury officer will fall on the heirs of the depositor who claim the money after his death.~~

or legal representatives.

5. ~~4.~~ The depositor may, at any time, revoke the nomination. The appended form ~~A~~ III should be adopted for the purpose and it should be signed before the Treasury officer who should certify as in rule 1. Three copies shall be signed and disposed of as in the case of nomination form. All revocations should be noted in the ledger and in the Register of Nominations. The revocation takes effect as soon as the declaration is made before the Treasury officer.

~~5. If the nominee dies, his heirs at law will have no claim to the amount at the depositor's credit, the right to the Saving Bank account accruing to the depositor and his heirs.~~

~~6. Nomination of more than one person shall be allowable if the share of each~~

6. If the nominee or any of the nominees, where there are more than one, predecease the depositor his heirs at law or the surviving nominees will have no claim to the amount at the depositor's credit or to the share of the predeceased nominee as the case may be. - In all such cases the right to the whole of or the lapsed share in the depositor's Savings Bank account will accrue to the depositor & his heirs.

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~~definitely stated. Should any such person die, the right would not go to the others but would devolve by ordinary succession.~~ to the depositor's heirs

7. A nomination may also be set aside by a will but Treasury Officers will only recognize wills proved before a Court of law.

8. If a depositor dies, the nominee shall apply for payment to the Treasury Officer enclosing the depositor's copy of the nomination certificate. If three months elapse and no intimation regarding a will (if any) setting aside the nomination is received by him, the Treasury Officer will pay the money to the nominee under the orders of the Secretary of the Govt. Savings Bank

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FORM I.

To

(The Treasury Officer,)

.....

----------District.

Sir,

I hereby signify my desire to nominate A B

to receive the amount of my savings Bank account No. ----------

in accordance with the provisions of the rules printed on the reverse —

I hereby affirm that I have full disposable power over the money deposited in my name and that no one else has a claim to it.

I have the honour to be,

Sir,

Your most obedient servant,

S t a t i o n

Date,

Signed before me by A B , holder of account No,----------

of whose identity I have satisfied myself.

S t a t i o n

Date,

Treasury Officer.

P.T.O

A,V.

Rules regarding nomination to Savings Bank accounts

Under Regulation II of 1911

1. (Here insert in all the cases)

FORM No. III

10

To The Secretary, Post Savings Bank

(The Treasury Officer,)

---------- District.

Sir,

I hereby request that the my application dated ----------, nominating A B to receive the amount of my Savings Bank Account No. may be cancelled.

I have the honour to be,

Sir,

Your most obedient servant,

Signature ------

Station

Date.

Signed before me by A B holder of Account No. ------ ---------- of whose identity I have satisfied myself.

Treasury Officer.

Station

Date.

A.V.

Financial Branch Draft

Rules regarding nomination to Savings Banks Accounts

Under Regulation II of 1911

(A)

1. A depositor (not being ~~a minor, or a lunatic~~ under legal disability to act) desiring to make a nomination shall do so in writing before the Treasury Officer in the appended form I and the latter shall certify that he has satisfied himself about the identity of the depositor and that ~~it~~ the form has been signed in his presence. Three copies of the form shall be signed by the depositor and the Treasury Officer. One copy will be given to the depositor, the second copy kept in the Treasury and the third sent to the Comptroller direct by the Treasury on the same day.

2. Registers of Nominations should be kept in the Treasury and in the Comptroller's Office in appended Form No. ~~III~~ II and notes re nomination will also be made in the Ledger in both offices.

3. The nomination will be in force until revoked by the depositor. If the nominee dies before the depositor, the depositor

should at once revoke the nomination; other wise the burden of proving the death of the nominee to the Treasury Officer will fall on the heirs of the depositor who claim the money after his death.

4. The depositor may, at any time, revoke the nomination. The appended form III should be adopted for the purpose and it should be signed before the Treasury officer who should certify as in rule 1. Three copies shall be signed and disposed of as in the case of nomination form. All revocations should be noted in the ledger and in the Register of Nominations. The revokation takes effect as soon as the declaration is made before the Treasury officer.

5. If the nominee dies, his heirs-at-law will have no claim to the amount at the depositor's credit, the right to the Savings Bank account accruing to the depositor and his heirs.

6. Nomination of more than one person shall be allowable if the share of each is

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definitely stated. Should any such person die, the right would not go to the others but would devolve ~~by ordinary succession~~ to the depositor & his heirs

7. A nomination may also be set aside by a will but Treasury Officers will only recognize wills proved before a Court of law.

8. If a depositor dies, the nominee shall apply for payment to the Treasury Officer enclosing the depositor's copy of the nomination certificate. If three months elapse and no intimation regarding a will (if any) setting aside the nomination is received by him, the Treasury Officer will pay the money to the nominee.

****

FORM I.

To

The Treasury Officer,

----------District.

Sir,

I hereby ~~signify my desire~~ to nominate A B
to receive the amount of my savings Bank account No. ----------

I hereby affirm that I have full disposable power over the money deposited in my name and that no one else has a claim to it.

Under S.4A of the Savings Bank Act as amended by Regn II of 1911, & rules passed thereunder I beg to nominate ——— as the person entitled to receive the amount of money standing to the credit of my account with the Savings Bank in the Debt Treasury of Debt, in case ~~of~~ my death

I have the honour to be,
Sir,
Your most obedient servant,

Station
Date,

Signed before me by A B, holder of account No.----------
of whose identity I have satisfied myself.

Station

Date,

Treasury Officer.

A,V.

M/o

Rules regarding nomination to Savings Bank Accounts under Regulation II of 1911.

1. A depositor (not being a minor, or a lunatic etc) desiring to make a nomination shall do so in writing before the Treasury Officer in the ~~following~~ appended form I and the ~~latter~~ ~~Officer~~ shall certify that he has satisfied himself about the identity of the depositor and that it has been signed in his presence. ~~of this~~ Two copies shall be signed one ~~copy~~ will be sent to Comptroller and the other kept in the Treasury and a note made against the depositor's account about the nomination when approval of Comptroller is intimated

Subs.
(1) Should the depositor send 2 copies or should a copy be made?
(2) This I think should be original.

2. The Comptroller shall publish such intended nominations in the Gazette and invite objections to their acceptance within 3 months of publication. If objections are received or if for any other reason the Comptroller sees fit to do so, he can reject the nomination without assigning any reason for it. If he accepts it, the acceptance will be intimated to the Treasury and by the Treasury to the depositor.

3. The nomination will be in force until revoked by the depositor or until the nominee dies.

4. The depositor may, at any time, revoke his nomination. The ~~following~~ appended form II should be adopted for the purpose and it should be signed before the Treasury Officer who should ~~also~~ also certify as in rule 1, ~~and forward~~ and forward the ~~a copy~~ two copies being sent at once to Comptroller. ~~After approval~~ a note ~~shall be~~ made against the depositor's account. The revocation takes effect as soon as the above declaration is made before the T.O.

Two Copies Shall be Signed

5. If the nominee dies, his heirs at law will have no claim to the amount at the depositor's credit in the Savings Bank account, the right to the depositor and his heirs

6. Nomination of more than one person shall be allowable if the share of each is definitely stated. Should any such person die, the right would not go to the others unless specifically mentioned.

7. The depositor may also set aside a nomination by a duly proved 'will'.

8. If a depositor dies, the nominee shall apply to the Treasury Officer. If three months elapse before any such will (if any) setting aside the nomination is produced before him, the Treasury Officer will, after obtaining the Comptroller's order, pay the money to the nominee. The Treasury Officer shall be at liberty to demand a security as per rule of the Savings Bank rules if he sees fit to do so.

D

RULES REGARDING NOMINATION TO SAVINGS BANKS ACCOUNTS.

Under Regulation II of 1911.

1. A depositor (not being under legal disability to act) desiring to make a nomination shall do so in writing before the Treasury Officer in the appended form I and the latter shall certify that he has satisfied himself about the identity of the depositor and the form has been signed in his presence. Three copies of the form shall be signed by the Depositor and the Treasury Officer . One copy will be given to the depositor, the second copy kept in the Treasury and the third sent to the Comptroller direct by the Treasury on the same day.

2. Registers of Nominations should be kept in the Treasury and in the Comptroller's Office in appended form No. II and notes regarding nomination will also be made in the Ledger in both offices.

3. Nomination shall be allowable of more than one person jointly, or of such persons severally for different shares, provided in

joint nominees dies during the life time of the depositor, the nomination will become void. The death of a nominee with independent shares under rule 3, shall render only his nomination void. The interest in the account for which a nomination has thus become void shall accrue to the depositor and his heirs.

7. A nomination may also be set aside by a Will but Treasury Officers will only recognise Wills proved before a Court of Law.

8. If a depositor dies, the nominee shall apply for payment to the Treasury Officer enclosing the depositor's copy of the nomination certificate. If three months elapse and no intimation regarding a Will (if any) setting aside the nomination is received by him, the Treasury Officer will pay the money to the nominee under the orders of the Secretary of the Government Savings Bank.

Form J.

To

The Treasury Officer,

District.

Sir,

Under section 4 A of the Savings Bank Act as amended by Regulation II of 1911 and rules passed thereunder, I beg to nominate - - - as the person entitled to receive after my death the amount of money standing to the credit of my account with the Savings Bank in the District Treasury of District.

I have the honor to be,

Sir,

Your most obedient servant.

Station

Dated

Signed before me by A B holder of account No. of whose identity I have satisfied myself.

Treasury Officer.

Station

Dated

Form III

7

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To

The Treasury Officer

---------- District.

Sir,

I hereby request that the nomination made in my application dated ---------- of ---------- to receive the amount of my Savings Bank Account No. may be cancelled.

A. B.

I have the honour to be

Sir,

Your most obedient servant,

Station ----------

Signature ----------

Dated ----------.

Signed before me by A. B. holder of Account No, of whose identity I have satisfied myself.

Treasury Officer.

Station ----------.

Date ----------.

K.R.